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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/605,000 | 08/29/2003 | Donato S. Diorio | 001-210 | 1999 |

29569 7590 03/21/2007
JEFFREY FURR
253 N. MAIN STREET
JOHNSTOWN, OH 43031

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| EXAMINER |
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HWANG, JOON H

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| ART UNIT | PAPER NUMBER |
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2166

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
|--|------------|---------------|
| 3 MONTHS | 03/21/2007 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/605,000

Applicant(s)

DIORIO ET AL.

Examiner

Joon H. Hwang

Art Unit

2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 32-42 is/are pending in the application.
- 4a) Of the above claim(s) 21-31 is/are ~~withdrawn from consideration~~ **Cancelled**.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 32-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The applicants canceled claims 21-31 and added new claims 32-42 in the amendment received on 2/22/07.

The pending claims are 32-42.

Response to Arguments

2. Applicant's arguments with respect to claim 32 have been considered but are moot in view of the new ground(s) of rejection.

"Prima facie case of obviousness is established when **teachings of prior art appear to suggest claimed subject matter to person of ordinary skill in art**; it is incumbent upon applicant to go forward with objective evidence of unobviousness once prima facie case is established." In re Rinehart (CCPA) 189 USPQ 143 Decided Mar. 11, 1976 No. 75-608 U.S. Court of Customs and Patent Appeals. The applicants failed to provide such evidence.

Claim Objections

3. Claims 32-33 and 40-42 are objected to because of the following informalities:
 - "the part of the system" in 4th line of claim 32 should be "a part of the system";
 - "the string" in 6th line of claim 32 should be "the strings";
 - "said source" in 1st line of claim 33 should be "said sources"; and
 - The dependency of claims 40-42 should be claim 37 instead of claim 39.

Appropriate correction is required.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 32-42 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The claims 32-42 lack the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 U.S.C. 101. They are clearly not a series of steps or acts to be a process nor are they a combination of chemical compounds to be a composition of matter. As such, they fail to fall within a statutory category. They are, at best, functional descriptive material *per se*.

Claim 32 is directed to a system for extracting data from electronic sources. This claimed subject matter lacks a practical application of a judicial exception (law of nature, abstract idea, naturally occurring article/phenomenon) since it fails to produce a useful, concrete and tangible result. Specifically, the claimed subject matter does not produce a tangible result because the claimed subject matter fails to produce a result that is limited to having real world value rather than a result that may be interpreted to be abstract in nature as, for example, a thought, a computation, or manipulated data. More specifically, the claimed subject matter provides for a final result of extracting data from electronic sources. This produced result remains in the abstract, and thus, fails to

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achieve the required status of having real world value. Claims 33-42 are likewise rejected.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claim 32 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 32 recites the limitation "the system" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 32 recites the limitation "that" in lines 4-5, which causes the limitation being indefinite, thus "that" needs to be specified.

Claim 32 recites the limitation "it" in line 7, which causes the limitation being indefinite, thus "it" needs to be specified.

Claim Rejections - 35 USC § 103

8. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

9. Claims 32, 34-39, and 41-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ravin et al. (U.S. Patent No. 5,819,265) in view of Yuret (U.S. Patent No. 6,957,213).

With respect to claim 32, Ravin teaches a system for extracting data from electronic sources (i.e., a system for extracting proper names from documents, lines 1-15 in col. 3, lines 26-38 in col. 5, and fig. 1). Ravin teaches a processing system using a plurality of component parts working in conjunction producing extraction results (i.e., name extraction processor 300 using a plurality of component parts, such as authority list 125 and tokenizer 115 in fig. 1, and producing extracted proper names, lines 1-5 and 26-55 in col. 5). Ravin teaches the component parts including a plurality of databases (i.e., one or more databases 130 storing a dictionary or list of names 130A in fig. 1, lines 52-67 in col. 4 and lines 44-50 in col. 3) and a plurality of algorithms (lines 37-47 in col. 14, lines 26-55 in col. 5, lines 18-36 in col. 6, line 61 in col. 9 thru line 45 in col. 10, lines 18-31 in col. 18, and line 62 in col. 16 thru line 18 in col. 17). Ravin teaches the algorithms include an extraction algorithm where the extraction algorithm is the part of the system that scans a stream of electronic text and returns strings that match a specific criteria (i.e., tokenizing process 115 and name extraction process 300 in fig. 1, lines 37-47 in col. 14, lines 26-55 in col. 5, lines 18-36 in col. 6, line 63 in col. 6 thru line 4 in col. 7, and line 61 in col. 9 thru line 45 in col. 10), a substring scoring algorithm where said substring scoring algorithm examines the string retrieved by the extraction algorithm and assigns it a numeric rank (i.e., if a substring is an organization word, return a negative score, lines 18-31 in col. 18 and line 62 in col. 16 thru line 18 in col. 17), and a final name scoring algorithm where each substring is scored by the substring scoring algorithm (i.e., analyzing all substrings/parts of a name element and if the confidence score is high enough, then the entity-type (person, organization, place, etc)

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is assigned to the name element, line 62 in col. 16 thru line 18 in col. 17). Ravin further discloses a special word for extracting proper names (lines 39-55 in col. 5 and lines 30-34 in col. 8). Ravin does not explicitly disclose a plurality of user interface elements. However, Yuret teaches a plurality of user interface elements used in identifying proper names in a text (i.e., manually modifying scores, line 63 in col. 6 thru line 29 in col. 7, lines 28-53 in col. 8), wherein the user interface elements include a substring score threshold increments user interface element (i.e., manually increasing a score for a term, line 63 in col. 6 thru line 29 in col. 7, lines 28-53 in col. 8), a substring score decrements user interface element (i.e., manually decreasing a score for a term, line 63 in col. 6 thru line 29 in col. 7, lines 28-53 in col. 8), and a substring score special cases user interface element (manually modifying scores for terms that would include a special word, line 63 in col. 6 thru line 29 in col. 7, lines 28-53 in col. 8) in order to enhance a domain-specific scoring process. Therefore, based on Ravin in view of Yuret, it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the teaching of Yuret to the system of Ravin in order to enhance a domain-specific scoring process.

With respect to claim 34, Ravin teaches a names database (i.e., a database storing a list of names, lines 39-55 in col. 5 and line 62 in col. 6 thru line 4 in col. 7).

With respect to claim 35, Ravin teaches an additional words database (i.e., a database of a list of special words, lines 39-55 in col. 5).

With respect to claim 36, Ravin teaches a titles database (i.e., a database storing a list of titles, lines 39-55 in col. 5).

With respect to claim 37, Ravin teaches a plurality of small database (i.e., one or more databases 130 storing a dictionary or list of names 130A in fig. 1, lines 52-67 in col. 4 and lines 44-50 in col. 3).

With respect to claim 38, Ravin teaches a famous people database (i.e., a database storing a list of names of people, which include a famous people, such as President Clinton, Martin Luther King Jr., Queen Elizabeth II., etc, lines 55-64 in col. 1, line 3 in col. 16, and lines 37-53 in col. 17).

With respect to claim 39, Ravin teaches a historic figure database (i.e., a database storing a list of names of famous people as discussed above in claim 8 or a list of names of places that are historic, such as The White House, Paris France, etc., lines 19-24 in col. 2 and lines 6-14 in col. 16).

With respect to claim 41, Ravin teaches a direction database (i.e., a database storing geographical modifiers, such as north, lines 39-42 in col. 10 and lines 39-55 in col. 5).

With respect to claim 42, Ravin teaches a time database (i.e., a database storing a list of dates, lines 39-55 in col. 5).

10. Claims 33 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ravin et al. (U.S. Patent No. 5,819,265) in view of Yuret (U.S. Patent No. 6,957,213), and further in view of Himmelstein et al. (U.S. Patent No. 6,701,307).

With respect to claim 33, Ravin and Yuret disclose the claimed subject matter as discussed above except the source is a website. However, Himmelstein teaches the

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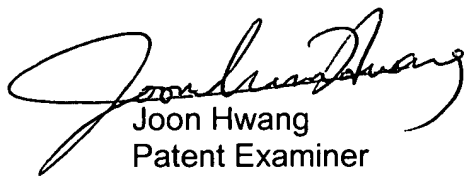
source is a website (i.e., spidering web pages, lines 36-39 in col. 1, lines 44-50 in col. 3, and lines 21-24 in col. 4) in order to increase scalability of data sources. Therefore, based on Ravin in view of Yuret, and further in view of Himmelstein, it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the teaching of Himmelstein to the system of Ravin in order to increase scalability of data sources.

With respect to claim 40, Ravin and Yuret disclose the claimed subject matter as discussed above except a postal database. Himmelstein teaches a postal database used for extracting a street address (i.e., an address extractor uses an auxiliary table, lines 56-63 in col. 5, lines 19-60 in col. 6, and lines 30-43 in col. 3) in order to improve searching of documents. Therefore, based on Ravin in view of Yuret, and further in view of Himmelstein, it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the teaching of Himmelstein to the system of Ravin in order to improve searching of documents.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joon H. Hwang whose telephone number is 571-272-4036. The examiner can normally be reached on 9:30-6:00(M~F).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Joon Hwang
Patent Examiner
Technology Center 2100

3/16/07